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UNCLAS ROME 004678

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STATE PASS RDOWNES
USTR FOR JGRIER
USDOC FOR SPIETAN & JLIUZZI

E.O. 12958: N/A
TAGS: [ETRD](#) [IT](#) [WTO](#)
SUBJECT: Italy: WTO Government Procurement Agreement Market
Access Revision.

Refs: A) STATE 214729, B) Rome 04236 C) Reddy-Downes e-
mails D) Dilworth -Ippolito telecon

1. This message responds to reftel A request for our
suggestions on possible areas for expansion of Italy's
market access commitments under the World Trade
Organization (WTO) Government Procurement Agreement (GPA).

2. The following are Embassy responses to questions A to D
of reftel A para 5.

Question A. According to Italy's annex to the EU Directive
on Government Procurement (WT/Let/472, dated May 1, 2004),
there are seventeen central contracting authorities subject
to the EU Directive and the WTO Government Procurement
Agreement, including the Presidency of the Council of
Ministers and sixteen other central government ministries.
Separate annexes to the Directive (Annexes 2 and 3 of
Appendix I to WT/Let/472) list a number of local and/or
specialized bodies that adhere to the Directive, including
the Agency for Promoting Development of the Mezzogiorno,
port and airport authorities (for supplies only), the
Consortia for Water Engineering Works, and others. GOI
contacts report there are over 22,000 contracting agencies
at both the central and local levels, with the latter
including Regions, Provinces, Municipalities and entities
owned by Municipalities.

We are not aware of any central or local Italian government
entity, not covered by the Annexes, undertaking
procurements in which U.S. companies have been prevented
from participating.

Question B. We are not aware of any services areas in
which U.S. companies have sought to participate, but have
been excluded, taking into consideration EU (and therefore,
Italian) derogations from the provisions of Article III of
the EU Directive on Government Procurement.

Question C. The general notes and derogations from Article
II of Appendix I of the EU Derogation exclude U.S.
suppliers and service providers from the award of
services/supply contracts to airports, water, and urban
transport providers. Embassy believes these are areas that
could be opened to U.S. firms.

Question D. See response to Question C directly above.

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